

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY SANTIAGO

UNCLAS STATE 261708

E.O. 11652: N/A

TAGS: BGEN, CI

SUBJECT: LICENSING AGREEMENTS

EMBASSY REQUESTED PROVIDE RESPONSE TO FOLLOWING QUESTIONS OF
POTENTIAL LICENSORS:

1. DOES THE CENTRAL BANK PLAY AN ACTIVE AND DIRECT ROLE IN
NEGOTIATING LICENSE CONTRACT TERMS AND CONDITIONS WITH THE
POTENTIAL LICENSOR APART FROM ITS FUNCTION OF APPROVING OR
DISAPPROVING SUCH CONTRACTS?
2. DOES THE BANK IMPOSE LIMITS ON THE SIZE OF ROYALTIES
AND REMITTANCES THEREOF?
3. MUST ROYALTIES BE EXPRESSED IN ESCUDOS OR CAN THEY BE
EXPRESSED IN DOLLARS THUS AFFORDING GREATER PROTECTION
AGAINST INFLATION?
4. ARE THERE LIMITS ON THE EXCHANGE AVAILABLE FOR ROYALTY
REMITTANCES?
5. ARE THERE BLOCKED ACCOUNTS REPRESENTING ROYALTY PAYMENTS?

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6. DOES THE BANK IMPOSE MAXIMUM TIME PERIODS OVER WHICH

ROYALTIES MAY BE PAYALBE, E.G. A MAXIMUM OF 5 YEARS?

7. WHAT ARE THE TAXES AND RATE OF TAX TO WHICH ROYALTIES
ARE SUBJECT?

8. DOES BANK REQUIRE THAT SALARIES AND EXPENSES OF LIICENSOR'S
TECHNICIANS IN CHILE BE PAID OUT OF ROYALTY OR ALTERNATIVELY
MAY THESE COSTS BE BILLED TO THE LICENSEE ON BASIS OF A FIXED
PER DIEM RATE CHARGE PLUS EXPENSES?

AN EARLY REPLY WILL BE APPRECIATED. INGERSOLL

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